

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

<b>DONALD RAY MCCRAY, ID # 620694,</b>	§	
	§	
Petitioner,	§	
	§	
v.	§	Civil Action No. <b>3:11-CV-0087-L</b>
	§	
<b>FBI,</b>	§	
	§	
Respondent.	§	

**ORDER**

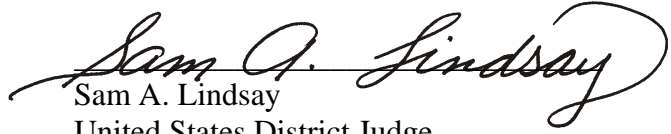
Before the court is Donald Ray McCray's Petition for Writ of Mandamus, filed January 13, 2011. United States Magistrate Judge Irma Carrillo Ramirez was selected to handle matters in this case pursuant to Special Order 3-251. On January 29, 2011, the magistrate judge entered her Findings, Conclusions and Recommendation. Petitioner filed no objections.

Petitioner, an inmate currently incarcerated in the state prison system, sent a series of letters to the court on January 13, 2011, that appear to complain about the failure of state and federal law enforcement officers to prosecute him for threats against judicial officers and employees. One of the letters is specifically directed at the Special Agent in Charge of the Federal Bureau of Investigation and demands an investigation by him. Accordingly, Petitioner's filing is liberally construed as a petition for writ of mandamus under 28 U.S.C. § 1361. The record reflects that Petitioner has not paid the \$350 filing fee, that he has not sought advance written permission to file suit, and that no process has been issued in this case.

The magistrate judge recommends that this case be administratively closed because Petitioner has failed to comply with prior sanctions imposed against him by the Fifth Circuit Court

of Appeals that require him to either seek advance written permission to file a civil case or pay the civil filing fee. Because Petitioner has done neither, the court agrees with the magistrate judge. The court therefore determines that the findings and conclusions of the magistrate judge are correct, and it **accepts** them as those of the court. The Petition for Writ of Mandamus is **dismissed without prejudice**, and the clerk of the court is **directed** to administratively close this case. *Petitioner is cautioned that he may not refile this action or file any other civil action without either seeking advance permission from the court or first paying the requisite filing fee.*

**It is so ordered** this 15th day of February, 2011.

  
Sam A. Lindsay  
United States District Judge